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Gates vote in doubt

Questions raised by Tower report

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WASHINGTON — The Tower commission report has raised new questions about the role that Deputy CIA Director Robert M. Gates played in the Iran-contra affair, further jeopardizing his nomination to succeed William J. Casey.

In part, Gates, a 43-year-old career CIA intelligence analyst, also faces opposition because of his answers to questions on that subject posed by members of the Senate Intelligence Committee, according to senators and aides close to the situation.

In a sworn statement submitted Thursday to the Intelligence Committee, Gates revealed that he had spoken by telephone with Lt. Col. Oliver L. North four times during a period in November when North and other National Security Council aides were preparing a false chronology of the Iran-contra affair.

But Gates said he had "no record of the subject" of the first call, which occurred at 6:45 p.m. Nov. 17, and could "not remember specifically" what he and North discussed during three other calls that occurred within two hours on Nov. 19.

At the time, Gates was directing preparation of testimony that then-CIA Director William J. Casey was to give the Intelligence Committee on Nov. 21. Committee members have questioned why Casey failed in his testimony to mention that he suspected that funds from the Iran arms sales had been diverted to the Nicaraguan contras.

"I think if there's an early vote, he [Gates] is going to be in trouble," Senate Republican leader Robert Dole of Kansas said Friday. Dole said he had warned President Reagan in a White House meeting earlier in the day that Gates could have difficulty winning confirmation by the Senate.

"Reagan just took it under advisement," a knowledgeable Senate aide said of Dole's warning.

Senate Majority Leader Robert Byrd (D., W. Va.), who controls the Senate schedule, told Senate Democrats at a policy luncheon Tuesday that he would prefer to delay a vote on Gates until hearings by the special Senate committee that is investigating the Iran affair are well under way, according to aides.

Sen. David L. Boren (D., Okla.), chairman of the Intelligence Committee, held up the committee's vote on Gates to await the release of the Tower commission report. The committee is to discuss the nomination, and perhaps hold another hearing on it, this week.

An Intelligence Committee aide said panel members wanted to question Gates on at least two issues raised by the Tower report. One is

whether "the CIA crossed the line between analysis and [promoting] policy" when it prepared an analysis of Iran that encouraged Reagan to approve the sale of U.S. arms to Iran, the aide said.

Gates, who has been acting director since Casey underwent brain surgery in December that forced him to resign, was head of the CIA's analytical branch when the Iran study was prepared.

The committee aide said a more serious question was whether Gates misled the panel in testimony Dec. 4 and in two confirmation hearings last month by insisting — when there was some evidence to the contrary — that he did not know how the contras were getting private aid while official U.S. aid was banned.

Some administration and congressional sources expect Reagan to withdraw Gates' nomination as part of his effort to restore confidence in his presidency in the wake of the Iran-contra affair.

In that effort, the President on Friday named former Sen. Howard H. Baker Jr. (R., Tenn.) to replace Donald T. Regan as chief of staff. Regan was blamed by the Tower commission for the "chaos that descended upon the White House" after the Iran arms sales became public in November.

Baker's appointment adds to a shift in the uppermost level of the White House staff, bringing to Reagan's side a new lineup for his final 23 months in office.

Reagan — as did President Jimmy Carter before him — built his presidential campaign around the theme that it was time to bring to the White House a team of new faces who could successfully do battle with entrenched bureaucrats and special interests.

Now, his White House staff is led by old Washington hands. In addition to Baker, Reagan recently

named as his national security adviser Frank C. Carlucci, a former career Foreign Service officer who served as deputy director of the Central Intelligence Agency under Carter, a Democrat.

Beyond those two appointments, other recent personnel shifts have given the President a new White House spokesman, chief domestic policy adviser, director of communications and assistant for political affairs and intergovernmental relations.

The manner in which the White House disclosed the shift belied its importance. Announcements of major personnel changes within the administration generally are made by the President, with the departing and incoming aides at his side.

But Regan's resignation and Baker's appointment, climaxing a tumultuous week for the President, were disclosed on two pieces of paper — Regan's one-sentence letter of resignation and the President's four-paragraph statement — that were placed without fanfare in a rack of news releases in the White House press room.

Regan was said earlier last month to have obtained from Reagan a gentlemen's agreement that he could remain in his post as long as he wanted. But as the firestorm grew around him, one source said, it was understood that the deadline had been drastically moved up.

After learning late Friday afternoon from an aide that Baker's appointment had been reported on the CNN television network, Regan drew up his one-sentence resignation letter, according to the Washington Post.

He called White House spokesman Marlin Fitzwater to his office.

"I just had this delivered to the President," he said, ordering Fitzwater to make it public, a White House official disclosed.

Said a former White House official: "He was obviously very angry and obviously in a hurry."

Regan is the first White House chief of staff to resign under fire since H.R. Haldeman left the Richard M. Nixon White House during the Watergate scandal. At that time, Baker was vice chairman of the Senate Watergate Committee.

The Los Angeles Times contributed to this article.